

Date: /8/97
Case Docket No.: EMU108DIV(1)

In re application of: Dennis C. Liotta, et al.
 Serial No.: 08/488,097
 Filed: June 7, 1995
 For: ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5-(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE

CERTIFICATE OF MAILING	
I hereby certify that this document along with any paper referred to as being attached or enclosed, is being forwarded to the Assistant Commissioner for Patents, Washington, D.C. 20231, via United States Postal Service as first class mail on this <u>27th</u> day of <u>January</u> , 19 <u>97</u> .	
 Signature	

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith are the following.

- Amendment and Response to Office Action.
- Petition for Extension of Time.
- Photocopy of the Verified Statement Claiming Small Entity Status in U.S. Serial No. 07/831,153.
- Check in the amounts of \$465.00.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	* 14	MINUS	** 20	= 0	x 11=	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					40 x39 =	\$280.00
INDEP	* 10	MINUS	*** 03	= 7	+125	\$
					TOTAL ADDITIONAL FEE	\$280.00
					or	TOTAL \$0

* If the entry in Col.1 is less than the entry in Col.2, write "0" in Col.3.

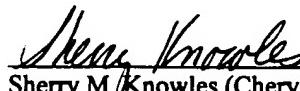
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the number found from the equivalent box in Col.1 of a prior amendment the number of claims originally filed.

- Please charge my Deposit Account No. 11-0855 in the amount of \$280.00. A duplicate copy of this sheet is attached.
- The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 11-0855.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


Sherry M. Knowles (Cheryl K. Zalesky)
Reg. No. 33,052

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir: The "RECEIVED" stamp on the card acknowledges receipt of the enclosed:

Applicants: Dennis C. Liotta, et al.

Title: "Antiviral Activity and Resolution of 2-Hydroxymethyl-5-(5-Fluorocytosin-1-YL)..."

Serial No. 08/488,097 Docket No. EMU108DIV(1) E269/85453 Filed 06/07/95

- | | |
|---|--|
| (<input type="checkbox"/>) New application (Patent <input type="checkbox"/> Design <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Amendment and Response to Office Action |
| (<input type="checkbox"/>) Pages of Specification <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Form PTO 1083 |
| (<input type="checkbox"/>) Pages/Claims <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Certificate of Mailing |
| (<input type="checkbox"/>) Abstract <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Check in the amount of \$465.00 |
| (<input type="checkbox"/>) Declaration and Power of Attorney <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Photocopy of Verified Statement Claiming |
| (<input type="checkbox"/>) Small entity Statement <input type="checkbox"/>) | Small Entity Status in U.S.S.N. 07/831,153 |
| (<input type="checkbox"/>) Sequence Listing Diskette <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) Petition for Extension of Time |
| (<input type="checkbox"/>) Drawings (<input type="checkbox"/> sheets of drawings) <input type="checkbox"/>) | (<input checked="" type="checkbox"/>) ATTACHMENT A |

Date: 1/13/97



Sherry M. Knowles, Reg. No. 33,052

281370

Applicant or Patentee: Dennis C. Liotta, Raymond F. Schinazi
and Woo-Baeg Choi

Serial or Patent No.: 07/831,153

Filed or Issued: February 12, 1992

For: ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5-(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE

Attorney's Docket No. EMU108

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Emory University

ADDRESS OF ORGANIZATION: 1380 S. Oxford Road
Atlanta, Georgia 30322

TYPE OF ORGANIZATION

- [X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- [] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- [] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
- [] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- [] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "ANTIVIRAL ACTIVITY AND RESOLUTION OF 2-HYDROXYMETHYL-5-(5-FLUOROCYTOSIN-1-YL)-1,3-OXATHIOLANE" by Dennis C. Liotta, Raymond F. Schinazi and Woo-Baeg Choi described in

- [] the specification filed herewith
- [X] application serial no. 07/831,153, filed February 12, 1992
- [] patent no. _____ issued _____

U.S Serial No. 07/831,153
Filed: February 12, 1992
Verified Statement Claiming Small Entity Status

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORG.

NAME: _____

ADDRESS: _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORG.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

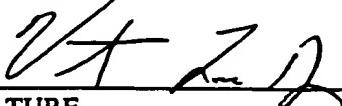
Vincent La Terza

TITLE IN ORGANIZATION:

Director of Licensing and Patent Counsel

ADDRESS OF PERSON SIGNING:

2009 Ridgewood Drive, Atlanta, GA 30322


SIGNATURE

June 5, 1996

DATE